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Page 1
1
                  UNITED STATES DISTRICT COURT
2
                 SOUTHERN DISTRICT OF NEW YORK
3
     BLOCKCHAIN MINING SUPPLY AND )
      SERVICES LTD.,
5
             Plaintiff,
6
                                         Civil Action No.
                                      )
                                         18-cv-11099-ALC
     VS.
7
                                      )
     SUPER CRYPTO MINING, INC.
     n/k/a DIGITAL FARMS, INC.,
     and DPW HOLDINGS, INC. n/k/a
     AULT GLOBAL HOLDINGS, INC., )
10
             Defendants.
11
12
13
14
              REMOTE VIDEO-RECORDED DEPOSITION OF
15
                     MILTON "TODD" AULT, III
16
                  AS 30(b)(6) REPRESENTATIVE OF
17
                  DEFENDANT DPW HOLDINGS, INC.
18
                  N/K/A BITNILE HOLDINGS, INC.
19
                        Las Vegas, Nevada
20
                   Thursday, January 12, 2023
21
22
23
    Esquire Deposition Solutions, LLC - Firm Number 008F
24
    Reported by:
    JANET C. TRIMMER, CCR, RPR, CRR
25
    JOB NO. 221153
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Page 188 Milton "Todd" Ault, III 1 2 Α. It is a phone number I have, yes. 3 0. And is it your understanding that these are 4 texts that you exchanged with Mr. Tencer? 5 MR. VOLYNSKY: Objection. Form. Looks like it. Α. 7 If you look at the top, these are e-mails 0. 8 from around May 3rd of 2018, and you say: 9 "I am seriously with my banker." "Let 10 me close the cash." "I need to finish." 11 Do you recall what banker you were talking 12 with at that point? 13 MR. VOLYNSKY: Objection to form. 14 What banker was I talking with then? I don't Α. 15 know. 16 Okay. I mean, if we go further down in the 17 chain, on May 3rd you say: 18 "I am at dinner with the lender. I will 19 text you when done. I promise will wrap up 20 by Friday." 21 Does that help you at all in terms of 22 identifying the banker? 23 MR. VOLYNSKY: Objection to form.

25 If you look at the next page, 1341, there's Q.

No, not really.

24

Α.

- Milton "Todd" Ault, III
- actually a photograph that it appears you texted, and
- 3 I'm wondering if you are able to recognize the person
- 4 who is shown in that photograph.
- 5 A. I do recognize her.
- 6 O. Who is that?
- 7 A. That's Mariah Corbett.
- Q. So Ms. Corbett is an employee of DPW?
- 9 A. She was my assistant at the time. She's no
- 10 longer an employee.
- 11 Q. Is the banker that you were apparently having
- dinner with shown in the photograph?
- MR. VOLYNSKY: Objection. Form.
- A. I don't know who's with me there. I don't
- 15 know where that's at.
- Q. And you say underneath it, "So you don't
- think I am nuts."
- Do you have any recollection of what you
- meant by that?
- MR. VOLYNSKY: Objection. Form.
- A. I was probably telling him that I'm working
- on it and I wanted to send him a picture saying, hey,
- I'm working on it, I'm not crazy, here I am, I guess.
- Q. But there is nothing in that picture that
- helps refresh your recollection as to where you were

I JANET C. TRIMMER, Registered Professional

2 Reporter, Certified Realtime Reporter, and Nevada

Certified Court Reporter No. 864, do hereby certify

4 that prior to the commencement of the examination,

5 MILTON "TODD" AULT, III, was duly remotely sworn by me

6 to testify to the truth, the whole truth and nothing

⁷ but the truth.

8 I ALSO CERTIFY that the foregoing is a

9 verbatim transcript of the testimony as taken

stenographically by me at the time, place and on the

date hereinbefore set forth, to the best of my

ability.

I FURTHER CERTIFY (1) I am not a relative,

employee or independent contractor or counsel of any

of the parties; nor a relative, employee or

independent contractor of the parties involved in said

action; nor a person financially interested in the

action; nor do I have any other relationship with any

of the parties or with counsel of any of the parties

involved in the action that may reasonably cause my

impartiality to be questioned.

22

23 Janet Cheiser

CERTIFIED COURT REPORTER NV 864 - Firm Number 008F

Dated: 01-18-2023 Esquire Deposition Solutions, LLC

JANET C. TRIMMER

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